THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15690 of 2006

Dated: 28.07.2006

Between
1.Putta Venkatarao and others.

.....Petitioner

and

1.The Government of Andhra Pradesh,
rep., by the Chief Engineer,
Indira Sagar Project, Rajahmundry
and others.

....Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15690 of 2006

ORDER:

This writ petition is filed seeking a direction to the respondents to take into consideration the *bona fide* objections for excluding the lands of the petitioners for the purpose of laying pipe lines of Venkatanagaram pumping scheme Unit No.2 of the Chagalnadu Lift Irrigation Project by duly complying with the procedures of Law under Land Acquisition Act for avoiding extreme hardship, financial loss and depletion of value of the lands of the petitioners.

It is the case of the petitioners that all of them own zerioty dry lands in the ayacut of Palacherla Panchayat village. They are the absolute owners and possessors of the properties located in R.S.No.459/1, 459/2, 461/1 to an extent of Ac.3.60 cents, and in R.S.No.459, 461, 462, to an extent of Ac.5.60 cents and in R.S.No.461/1, 462 to an extent of Ac.2.60 cents and in R.S.No.463/2 to an extent of Ac.2.32 cents. The Government of Andhra Pradesh proposed to construct the Indira Sagar Project including Venkatanagaram Lift Irrigation Unit No.2. The 1st and 2nd respondents are the designated Engineers of the project and the 3rd respondent is the approved contractor for the execution of Lift Irrigation Project. For laying pipe line of 6.5 feet circumference in two lines in the upland area, it requires a total of 13.5 meters width of land for installation of each pipeline. The

original scheme was started from Public Punta through the lands covered by R.S.No. 760 and 469 of Palacherla panchayat to forest land with boundaries of R.S.No.461, 460 and 450. While so, the 3rd respondent deviated from the original scheme due to political pressure and maneuvers and frequently changed the survey of lands for the purpose of laying the pipelines. If the pipe lines are allowed to lay either vertically or horizontally across the lands of the petitioners, the remaining deserted parts of their land will have no value and their values will be depleted to 25% of the present market value. In this view of the matter, they made several representations before the concerned authorities requesting them not to deviate from the original plan and not to acquire the lands of the petitioners for the purpose of laying down the pipe lines. On 22.7.2006 they made representation to the Chief Engineer, Indira Sagar Left Main Canal Circle, Chagalnadu Lift Irrigation Canal Unit No.2, Dowleswaram, Rajahmundry Rural Mandal, East Godavari District. The petitioners apprehend that the respondents might not look into the representation and they may proceed with the work by implementing the deviated plan which causes hardship to the petitioners.

In view of the above, without expressing any opinion on merits, the 1st respondent is directed to dispose of the representation purported to have been made by the petitioners on 22.7.2006 within a period of two weeks from the date of receipt of a copy of this order and pass appropriate orders as per law after putting the petitioners on notice and hearing them personally if necessary. Till such time, the proposed deviated plan shall not be taken up.

Writ petition is disposed of accordingly. No costs.

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28.07.2006

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